

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on March 30, 2007 at 3:30 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 218, 3/29/2007; SB 431,
3/29/2007; SB 452, 3/29/2007
Executive Action: HB 753; SB 147; SB 213; SB 365; SJR
20

HEARING ON SB 431

Opening Statement by Sponsor:

00:01:41 Sen. Greg Lind (D), SD 50, opened the hearing on SB 431, Revise standards for hot springs.

[EXHIBIT \(nah68a01\)](#)

Proponents' Testimony:

00:03:49 Richard Simmons, Granite Creek Hot Springs, Lolo, Montana

[EXHIBIT \(nah68a02\)](#)

Opponents' Testimony: None

Informational Testimony:

00:06:41 Kathy McCarthy, Department of Public Health and Human Services

Questions from Committee Members and Responses:

00:07:03 Rep. Pomnichowski

00:07:11 Sen. Lind

Closing by Sponsor:

00:09:29 Sen. Lind

HEARING ON SB 218

Opening Statement by Sponsor:

00:10:01 Sen. Greg Lind (D), SD 50, opened the hearing on SB 218, Sequestration standards for carbon dioxide.

Proponents' Testimony:

00:13:05 Anne Hedges, Montana Environmental Information Center

[EXHIBIT \(nah68a03\)](#)

00:22:38 Chuck Magraw, Natural Resources Defense Council and Renewable Northwest Project

00:25:45 Rick Moore, Northern Plains Resource Council

00:27:06 Siri Smillie, Montana Conservation Voters

Opponents' Testimony:

00:27:49 Todd O'Hair, Rio Tinto Energy America
00:29:56 Bud Clinch, Montana Coal Council
00:32:34 Leo Berry, Great Northern Power Development
00:35:57 Tim Ravndal, Montana Multiple Use Association

Informational Testimony:

00:36:50 Tom Richmond, Board of Oil and Gas Conservation
00:42:44 Bonnie Lovelace, Department of Environmental Quality

Questions from Committee Members and Responses:

00:43:04 Rep. Erickson
00:44:23 Mr. Richmond
00:46:08 Rep. Erickson
00:46:16 Mr. Berry
00:48:14 Rep. Lambert
00:48:58 Mr. Richmond
00:50:54 Rep. Heinert
00:54:17 Mr. Richmond
00:55:59 Rep. Hands
00:56:17 Mr. Richmond
00:58:43 Rep. Hands
00:58:55 Mr. McGraw
01:02:34 Rep. Van Dyk
01:03:20 Mr. Richmond
01:07:07 Rep. Cohenour
01:07:34 Mr. Richmond
01:11:02 Rep. Ross

Closing by Sponsor:

01:12:20 Sen. Lind

HEARING ON SB 452

Opening Statement by Sponsor:

01:22:43 Sen. Carol Williams (D), SD 46, opened the hearing on SB 452, Working forests, ranches, and watersheds program.

Proponents' Testimony:

01:24:55 Joe Brenneman, Flathead County Commissioner; and for Missoula County and Montana Association of Counties (MACo)

01:29:06 Steve Ellis

[EXHIBIT\(nah68a04\)](#)

01:33:41 Betsey Ellis

[EXHIBIT\(nah68a05\)](#)

01:34:39 Jack Rich, Outfitting Guest Ranch

01:36:28 Gordon Morris, Lewis and Clark County Commissioners

01:37:00 Dusty Crary

01:38:10 Meggen Ryan, Evaro, Montana

[EXHIBIT\(nah68a06\)](#)

01:39:39 Jon Haufler, Clearwater Resource Council, Seeley
Lake, Montana

01:40:27 Eric Love, Montana Director, The Trust for Public Land

[EXHIBIT\(nah68a07\)](#)

01:41:25 Melanie Parker, Condon, Montana

01:42:27 Anne Dahl, Swan Ecosystem Center

[EXHIBIT\(nah68a08\)](#)

01:43:23 Sheryl Wood, MACo

01:43:41 Jay Erickson, Montana Land Reliance

01:44:31 Wendy Nintemin, Five Valley Land Trust

01:44:54 Andy Bauer, Prickly Pear Land Trust

01:45:20 Kathy Bramer, Office of Public Instruction

01:45:34 Jerry Wells, Rocky Mountain Elk Foundation

[EXHIBIT\(nah68a09\)](#)

01:45:55 Glenn Marx, Montana Association of Land Trusts

[EXHIBIT\(nah68a10\)](#)

01:46:40 Molly Immen, Montana Audubon

01:46:48 Robert Throssell, Montana Wildlife Federation

01:46:56 Mary Sexton, Department of Natural Resources and
Conservation (DNRC)

[EXHIBIT\(nah68a11\)](#)

Opponents' Testimony:

01:47:34 Fred Hodgeboom, President, Montanans for Multiple Use

[EXHIBIT\(nah68a12\)](#)

01:51:48 Dave Skinner, Montanans for Multiple Use

[EXHIBIT\(nah68a13\)](#)

01:54:05 Tim Ravndal, Montana Multiple Use Association

Informational Testimony:

01:59:26 Mike Harris, Gallatin County Open Lands Coordinator

01:59:49 Mary Sexton, DNRC

Questions from Committee Members and Responses:

01:59:59 Rep. Ankney

02:00:49 Sen. Williams

02:01:01 Ms. Sexton
 02:02:32 Rep. Van Dyk
 02:03:06 Ms. Sexton
 02:04:56 Rep. Vincent
 02:11:12 Ms. Sexton
 02:12:49 Rep. Hendrick
 02:16:00 Sen. Williams
 02:17:29 Rep. Barrett
 02:18:35 Ms. Sexton

Closing by Sponsor:

02:19:15 Sen. Williams
 02:21:37 Break

EXECUTIVE ACTION ON HB 753

03:38:06 **Motion:** Rep. Hands moved that HB 753 **DO PASS.**
 03:38:26 **Motion/Vote:** Rep. Hands moved that HB 753 **BE AMENDED.**
 Motion carried unanimously by voice vote. Reps. Heinert
 and Small-Eastman voted by proxy.

EXHIBIT (nah68a14)

03:39:48 **Motion:** Rep. Erickson moved that HB 753 **DO PASS AS**
AMENDED.

Discussion:

03:39:57 Rep. Ross
 03:41:49 Rep. Hands
 03:45:35 Rep. Hendrick
 03:46:21 Ted Dodge, National Carbon Offset Corporation
 03:50:00 Rep. Hands
 03:50:56 Rep. Ankney
 03:53:14 Rep. Van Dyk
 03:55:37 Rep. Lambert
 03:56:31 Rep. Dickenson
 04:00:12 Rep. Erickson
 04:04:57 Rep. Cohenour
 04:08:05 Rep. Ross
 04:08:17 Rep. Hendrick
 04:12:14 Rep. Pomnichowski
 04:15:30 Rep. Small-Eastman
 04:15:55 Krista Evans
 04:21:00 Rep. Mendenhall
 04:21:33 Rep. Dickenson
 04:23:12 Rep. Hendrick
 04:23:44 Rep. Hands

- 04:24:13 **Vote:** Motion failed 7-9 by roll call vote with Reps. Cohenour, Dickenson, Erickson, Hands, Pomnichowski, Small-Eastman, and Rep. Van Dyk voting aye. Rep. Heinert voted by proxy.
- 04:25:11 **Substitute Motion/Vote:** Rep. Mendenhall made a substitute motion that HB 753 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried 14-2 by voice vote with Reps. Dickenson and Small-Eastman voting no. Rep. Heinert voted by proxy.

EXECUTIVE ACTION ON SB 147

- 04:26:03 **Motion:** Rep. Hendrick moved that SB 147 **BE CONCURRED IN**.
- 04:26:17 **Motion:** Rep. Hendrick moved that SB 147 **BE AMENDED**. [**EXHIBIT**](#)(nah68a15)

Discussion:

- 04:27:49 Rep. Cohenour
- 04:29:05 Rep. McNutt
- 04:30:47 Rep. Erickson
- 04:31:04 Rep. Vincent
- 04:32:28 Rep. Pomnichowski
- 04:34:14 **Vote:** Motion failed 4-12 by roll call vote with Reps. Heinert, Mendenhall, Ross, and Vincent voting aye. Rep. Heinert voted by proxy.
- 04:35:21 **Vote:** Motion failed 7-9 by roll call vote with Reps. Cohenour, Dickenson, Erickson, Hands, Heinert, Pomnichowski, Small-Eastman, and Van Dyk voting aye. Rep. Heinert voted by proxy.
- 04:36:23 **Motion/Vote:** Rep. Mendenhall moved that SB 147 **BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Rep. Heinert voted by proxy.

EXECUTIVE ACTION ON SB 213

- 04:37:24 **Motion:** Rep. Erickson moved that SB 213 **BE CONCURRED IN**.
- 04:37:31 **Motion:** Rep. Mendenhall moved that SB 213 **BE AMENDED**. [**EXHIBIT**](#)(nah68a16)

Discussion:

- 04:37:40 Krista Evans
- 04:38:20 Rep. Mendenhall

04:40:35 **Vote:** Motion carried 9-7 by roll call vote with Reps. Cohenour, Dickenson, Erickson, Hands, Pomnichowski, Small-Eastman, and Van Dyk voting no. Rep. Heinert voted by proxy.

04:41:32 **Motion/Vote:** Rep. Mendenhall moved that SB 213 **BE CONCURRED IN AS AMENDED**. Motion carried 9-7 by roll call vote with Reps. McNutt, Barrett, Lambert, Mendenhall, Pomnichowski, Van Dyk, and Vincent voting no. Rep. Heinert voted by proxy. Rep. Cohenour will carry the bill.

EXECUTIVE ACTION ON SB 365

04:43:40 **Motion:** Rep. Hendrick moved that SB 365 **BE CONCURRED IN**.

04:44:01 **Motion:** Rep. Erickson moved that SB 365 **BE AMENDED**. [EXHIBIT\(nah68a17\)](#)

Discussion:

04:44:15 Rep. Barrett
04:46:14 Rep. Van Dyk
04:46:53 Rep. Dickenson
04:47:01 Rep. Barrett

04:48:58 **Vote:** Motion carried unanimously by voice vote. Rep. Heinert voted by proxy.

04:49:19 **Motion/Vote:** Rep. Cohenour moved that SB 365 **BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Heinert voted by proxy. Rep. Lambert will carry the bill.

EXECUTIVE ACTION ON SJR 20

04:50:02 Rep. Erickson moved SJR 20 **BE CONCURRED IN**.

Discussion:

04:50:13 Rep. Erickson
04:51:55 Rep. Mendenhall
04:54:09 Rep. Hands
04:55:16 Rep. Vincent
04:56:37 Rep. Dickenson
04:57:42 Rep. Mendenhall
04:58:21 Rep. Erickson
05:00:46 Rep. Mendenhall
05:02:38 Rep. Ankney

05:03:46 **Vote:** Motion failed 7-9 by roll call vote with Reps. Cohenour, Dickenson, Erickson, Hands, Pomnichowski, Small-Eastman, and Van Dyk voting aye. Rep. Heinert voted by proxy.

05:03:51 **Substitute Motion/Vote:** Rep. Mendenhall made a substitute motion that SJR 20 **BE TABLED AND THE VOTE REVERSED**. Substitute motion carried 15-1 by voice vote with Rep. Van Dyk voting no. Rep. Heinert voted by proxy.

Additional Exhibit:

Document pertaining to SB 365; Hearing 03/28/07

EXHIBIT(nah68a18)

ADJOURNMENT

05:05:34 Adjournment: 8:40 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah68aad.pdf](#))